

Message Text

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PAGE 01 LIMA 04361 191852Z

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ACTION ARA-08

INFO OCT-01 SS-14 ISO-00 EB-03 SP-02 L-01 INR-05 ARAE-00

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P 121510Z MAY 76

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 118

C O N F I D E N T I A L LIMA 4361

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LIMDIS

E.O. 11652: GDS

TAGS: EAIR, PE

SUBJECT: CIVAIR: PENDING U.S.-PERUVIAN ISSUES

REF STATE 108538

1. BRANIFF VICE PRESIDENT CHARLES SOUTH, ACCOMPANIED BY LOCAL BRANIFF REPRESENTATIVES, VISITED AMBASSADOR MAY 10 TO DISCUSS CURRENT CIVIL AVIATION SITUATION. BRANIFF IS REQUIRED TO FILE ITS NEW SCHEDULE WITH PERUVIAN CIVIL AVIATION AUTHORITIES 45 DAYS IN DVANCE OF ITS GOING INTO FORCE. THIS MEANS THAT BRANIFF MUST REQUEST BY MAY 24 APPROVAL FOR ITS NEW SCHEDULE.

2. SOUTH REFERRED TO MEETING WITH STYLES IN WASHINGTON DURING WHICH CURRENT PROBLEMS WERE REVIEWED. BRANIFF IS WORRIED THAT IF ITS PROPOSED NEW SCHEDULE IS FILED WITHOUT FIRM ASSURANCES THAT AEROPERU WILL SOON RECEIVE ITS PERMIT TO FLY TO NEW YORK, GOP WOULD NOT GRANT REQUIRED APPROVAL BECAUSE OF WHAT IT CONSIDERS USG REFUSAL TO ABIDE BY JULY 1975 UNDERSTANDING. ALSO, CURRENT PUBLIC DEBATE IN LIMA PRESS CONCERNING AEROPERU'S OPERATIONS AND LARGE LOSSES IT HAS INCURRED SINCE ITS ESTABLISHMENT PROVIDES OPPORTUNITY FOR BLAME TO BE PLACED ON USG DUE TO FACT
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PAGE 02 LIMA 04361 191852Z

IT HAS NOT ISSUED THE REQUIRED NEW YORK PERMIT (EVEN

THOUGH THE LACK OF SUCH A PERMIT HAS NOTHING TO DO WITH CURRENT LOSSES IN AEROPERU'S INTERNATIONAL OPERATIONS).
THUS, CURRENT SITUATION POTENTIALLY LAYS USG OPEN TO CRITICISM.

3. ACCRDING TO SOUTH, HE DISCUSSED WITH STYLES THE POSSIBILITY OF ISSUING AEROPERU ITS OPERATING PERMIT TO NEW YORK COMBIND WITH TEMPOARY, CAB PERMISSION TO CONTINUE ITS MXICO-WEST COAST FLIGHTS. SUCH AN ARRANGEMENT WOULD RELIEVE THE PRESSURE FOR A TIME AND ALLOW GOP TO APPROVE BRANIFF'S NEW SCHEDULE. SOUTH STATED THAT STYLS HAD INDICATED THAT LEGALLY SUCH CONDITIONAL PERMIT PROBABLY COULD BE ISSUED AND THAT HE (STYLES) WAS WILLING TO DISCUSS PROBLEMS WITH PERU TO ATTEMPT REACH OVERALL SETTLEMENT.

4. IN MEANTIME, EMBASSY OFFICER CONTACTED DIRECTOR GENERAL, CIVIL AVIATION, COL. CESAR OLIVERA, TO REMIND HIM THAT EMBASSY IS STILL AWAITING HIS WRITTEN PRESENTATION REGARDING CIVIL AVIATION PROBLEM AND ANY SUGGESTIONS GOP MIGHT HAVE AS TO ITS SOLUTION (LIMA 371). OLIVERA INDICATED THAT THERE HAD BEEN MUCH DISCUSSION ON THIS PAPER AND THAT LATEST VERSION WAS STILL NOT SATISFACTORY. HE PROMISED, HOWEVER, TO PRESENT PAPER TO EMBASSY MIDDLE OR LATER PART OF WEEK OF MAY 16.

5. COMMENT: EMBASSY SHARES BRANIFF'S CONCERN THAT UNLESS WE FIND A WAY TO CERTIFICATE AEROPERU TO NEW YORK AND ALLOW PERUVIAN CARRIER TO CONTINUE MEXICO CITY-WEST COAST FLIGHTS ON A TEMPORARY BASIS, THERE MAY WELL BE PROBLEMS FOR BRANIFF IN OBTAINING APPROVAL OF ITS NEW SCHEDULE. BASED ON CONVERSATION WITH SOUTH, EMBASSY BELIEVES THAT STYLES SHOULD BE PREPARED TO DISCUSS WITH PERUVIAN CIVIL AVIATION OFFICIALS (EITHER HERE OR IN WASHINGTON) PRESENT PROBLEMS AND, AT APPROPRIATE TIME DURING THE COURSE OF THESE DISCUSSIONS, INDICATE THAT USG WOULD BE PREPARED TO GRANT PERMIT TO NEW YORK WITH A TEMPORARY CONTINUATION OF AEROPERU'S SERVICE TO MEXICO CITY. SUCH TACTICS WOULD NOT PRECLUDE US FROM TRYING TO OBTAIN COMPARABLE GOP CONCESSION THAT WILL BENEFIT BRANIFF IN RETURN FOR THE MEXICO CITY-CALIFORNIA FLIGHTS TO AEROPERU. BUT EVEN IF THESE EFFORTS ARE NOT IMMEDIATELY
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 LIMA 04361 191852Z

SUCCESSFUL, WE SHOULD AS A FALLBACK POSITION BE PREPARED TO GRANT CAB PERMIT FOR NEW YORK SERVICE AS ENVISIONED BY JULY UNDERSTANDING PLUS TEMPORARY PERMISSION FOR AEROPERU TO CONTINUE PRESENT MEXICO CITY-CALIFORNIA SERVICE FOR STIPULATED TIME PERIOD. THIS GIVES US TIME TO SOLVE PROBLEM AND AVOID REOPENING OF MAJOR BILATERAL PROBLEM BETWEEN U.S. AND PERU.
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